

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Mingliang L. Tsai

Docket: H0001805 (4300)

Serial Number: 09/800,749

Group Art Unit: 1772

Filed: March 7, 2001

Examiner: Sandra M. Nolan

For: OXYGEN SCAVENGING POLYMER COMPOSITIONS CONTAINING
ETHYLENE VINYL ALCOHOL COPOLYMERS

RESPONSE TO OFFICE ACTION

Commissioner For Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action mailed November 21, 2003, please consider the following remarks:

REMARKS

Applicant acknowledges the withdrawal of the rejections as set forth in paragraphs 2-4 of the Office Action. Applicant also acknowledges that the Examiner's statement in paragraph 6 of the Office Action that the prior art of record fails to teach or suggest the use of base catalysts or the production of reaction products by contacting maleic anhydride-modified polybutadienes, ethylene/vinyl alcohol (EVOH) resin and transition metal compounds. Applicant further acknowledges that claims 14, 44 and 47 have been indicated as allowable, but have been objected to for being dependent on a rejected base claim. As is described in detail below, Applicant respectfully submits that no amendment to the claims is necessary and that all pending claims should be allowed due to the differences between the claimed invention and the applied art.

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For: OXYGEN SCAVENGING POLYMER COMPOSITIONS CONTAINING
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RESPONSE TO OFFICE ACTIONTO: Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

FAX NO.: 703-872-9310

FROM: Richard S. Roberts
Reg. No. 27941
P.O. Box 484
Princeton, New Jersey 08542
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DATE: February 23, 2004

KINDLY DIRECT THIS COMMUNICATION TO:

EXAMINER : Sandra M. Nolan
GROUP : 1772NO. OF PAGES SENT INCLUDING THIS COVER SHEET: 9

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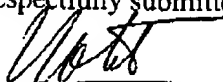
For: OXYGEN SCAVENGING POLYMER COMPOSITIONS CONTAINING
ETHYLENE VINYL ALCOHOL COPOLYMERSAMENDMENT TRANSMITTALCommissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above captioned application. No extension of time fee is required to make this response timely. The Office Action was mailed on November 21, 2003. The three month shortened statutory due date was February 21, 2004. Since February 21, 2003 was a Saturday, the due date is therefore February 23, 2004 (today).

Should the Commissioner determine that an extension of time is required in order to make this submission timely, then this paper was be construed to include a request for extension of time for the appropriate period of time and the Commissioner is authorized to charge any fees which may be required by this paper, or credit any overpayment, to Deposit Account No. 01-1125.

Respectfully submitted,



Richard S. Roberts

Reg. No. 27,941

P.O. Box 484

Princeton, New Jersey 08542

(609) 921-3500

Date: February 23, 2004